



FREDERICK

PLANNING

September 30, 2022

Michelle O'Brien
Zoning, Inc.
P.O. Box 2056
Blanchard, OK 73010

Re: 22-908ZD, Zoning Determination, 6902 Bowers Road

Dear Ms. O'Brien:

In response to your letter dated September 21, 2022, Staff has prepared the following information:

The subject property, 6902 Bowers Road (the "Property"), is zoned General Commercial (GC). Per Section 401, Table 401-1 of the Land Management Code (LMC), the purpose of this floating district is to provide for a variety of retail use and services in free-standing parcels or shopping centers to serve the community's general commercial needs. This district shall only be applied at appropriate locations that conveniently meet these needs; conform to the goals, objectives and policies and locational criteria of the Comprehensive Plan; are compatible with the surrounding land uses and zoning districts; do not adversely impact the facilities and services of the City; do not set a precedent for the introduction of inappropriate uses into an area; and do not encourage non-residential strip development along streets. The Property is also within the Highway Noise Overlay (HNO). This overlay district establishes setback, lot and structure design standards for "noise impacted residential uses" from certain highways.

The last known use for the Property is a veterinary hospital, which is a permitted use in the GC district. Tax records indicate the primary structure was built in 1994. Hence, there may be structures or features of the site that do not conform to the standards of the LMC and may be deemed nonconforming, provided that they were established in accordance with the regulations in place at the time of approval. Per Section 900 of the LMC, nonconforming features may be continued provided that no action shall be taken that increases the degree or extent of the nonconforming feature of the Property. Any enlargement, extension or structural alteration shall conform to all current requirements of

the LMC. Further, any structure that is nonconforming is subject to Section 902, which may also be continued as long as it remains otherwise lawful and that no modifications are made that increase its nonconformity or make it less suitable for a permitted use in the district. Nonconforming buildings that are destroyed, damaged, or deteriorated by any means to the extent of 50% or more of their market value, or if relocated, may only be reconstructed in accordance with the current standards.

The zoning to the east is also GC. The zoning to the north and west is Low Density Residential (R4), and the properties to the south are outside of the City's jurisdiction.

There are no site plans, variances, special exceptions, or certificates of occupancy listed for the property, and it is not part of a planned-unit development. There are also no current regulatory or building code violations pending on the Property at this time. Building permits and certificates of occupancy records are kept for only 10 years. There are no known public improvement projects or condemnation actions for the Property.

Lastly, with regard to rental/landlord licensing requirements and fees, the City adopted an ordinance for residential rental licensing and affordable housing conservation on August 4, 2022. Information regarding the ordinance can be found at this link: [Ordinance No. G-22-09 | Code of Ordinances | Frederick, MD | Municode Library](#)

If you have any further questions, please don't hesitate to contact me at (301) 600-4588 or skelly@cityoffrederickmd.gov.

The purpose of the service provided by the Zoning Administrator regarding determinations/interpretations is to identify the zoning of a particular property, to verify that a use is permitted or permissible in a specific Zoning District and to clarify and interpret the Land Management Code. Any questions regarding specific regulations and requirements for a site or sites' compliance with the Land Management Code not addressed in this letter shall not be the responsibility of the Zoning Administrator. It is the responsibility of the applicant, property owner and/or property purchaser to review the project site plan and the Land Management Code for compliance.

This determination applies solely to the referenced property and is not binding upon the City, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property. Please be advised that any person aggrieved, or any officer, department or agency of The City of Frederick affected by an order, requirement, decision, or determination made by an administrative officer in the administration or enforcement of the provisions of the Land Management Code may appeal said decision within thirty days to the Zoning Board of Appeals.

Sincerely,



Sherry Kelly, AICP
City Planner

In Concurrence,



Joseph A. Adkins, AICP
Deputy Director for Planning/Zoning
Administrator

cc: Gabrielle Collard, Division Manager of Current Planning

September 21, 2022

Subject Property: West Frederick Veterinary Hospital – 6902 Bowers Road, Frederick, MD
Use: veterinary clinic/hospital

Our company is researching the above referenced property and would like to request the following:

- **Zoning Compliance/Verification Letter:** Please supply a letter (**or use the attached letter template** and copy onto letterhead) stating in which zoning district the subject property is currently located, whether or not it is considered to be a permitted use, and any compliance information.
- **Adjacent Property Designations:** Current zoning district in which properties adjacent to the subject property North, South, East & West are located.
- **Any Variances, Special Permits or Conditions:** Please note the existence of these items as they relate to the subject property and supply documentation, if available
- **Code Violations:** Please note whether or not there are currently any open/outstanding zoning, building or fire code violations that apply to the subject property
- **Certificates of Occupancy:** Please supply copies of any existing certificates of occupancy for the subject property. If none are available, please state the reason for this and whether there is any expected enforcement action due to the lack of certificate.
- **Approved Site Plan and/or Conditions of Approval,** if applicable: Please supply one or both of these documents, particularly if the subject property is located in a Planned Development.
- **Current/Planned Public Improvement Project or Condemnation Action,** if applicable: Please supply information regarding any current or planned public improvement projects or condemnation actions that would affect the subject property (access to, traffic flow near or the property lines (ROW takings/condemnation).
- **Landlord Licensing Requirements/Fees:** Please advise of any **commercial** landlord licensing requirement and/or fees.

Our citizen portal account name is mobrien@zoningreport.com

Upon completion, please forward the information via **email to mobrien@zoningreport.com or toll free fax (877) 800-5594.**

Please feel free to contact me at (405) 366-9663 or via email at mobrien@zoningreport.com with any questions you may have regarding this request.

Thank you very much for your assistance!

Michelle O'Brien
Zoning, Inc.
Phone (405) 366-9663
Toll-Free Fax (877) 800-5594
mobrien@zoningreport.com



Zoning, Inc.
PO Box 2056
Blanchard, OK 73010

PHONE (405) 366-9663
FAX (877) 800-5594
WEB SITE www.zoningreport.com

_____, 2022

Zoning, Inc.
PO Box 2056
Blanchard, OK 73010

Subject Property:	<i>West Frederick Veterinary Hospital 6902 Bowers Road Frederick, MD</i>
--------------------------	---

In response to your request for information regarding the above-referenced property, we have researched our files and present the following:

1. **The current zoning classification for the subject property is:** _____

2. **Adjacent property zoning designations:**

North: _____ South: _____

East: _____ West: _____

3. **According to the zoning ordinances and regulations for this district, the use of the subject property as a veterinary clinic/hospital is a:**

- ☐ Permitted Use by Right
☐ Permitted Use by Special/Specific Use Permit ☐ Copy Attached ☐ Copy Not Available (see comment)
☐ Legal Non-Conforming Use (no longer permitted by right due to amendments, re-zoning, variance granted or other changes. See comments)
☐ Non-Permitted Use

Comment: _____

4. **The subject structure(s) and property was developed:**

- ☐ in accordance with Current Zoning Code Requirements and is
☐ Legal Conforming
☐ Non-conforming (see comments)
- ☐ in accordance with previous zoning code Requirements (amendments, rezoning, variance granted). If any nonconforming issues exist with respect to current zoning requirement; the subject property would be considered legal non-conforming.
- ☐ Prior to the adoption of the zoning code and is ☐ Grandfathered/Legal non-conforming to current zoning requirements.
- ☐ in accordance with approved site plan and is legal conforming to approved site plan. If any nonconforming issues exist with respect to current zoning requirement; the subject property would be considered legal non-conforming.

Comment: _____

5. **Information regarding variances, special permits/exceptions, ordinances or conditions:**

- ☐ There do not appear to be any variances, special permits/exceptions, ordinances or conditions that apply to the subject property.
- ☐ The following apply to the subject property (see comments):
☐ Variance - Documentation attached or is otherwise, no longer available (see comment)
☐ Special Permit/Exception Documentation attached or is otherwise, no longer available (see comment)
☐ Ordinance Documentation attached or is otherwise, no longer available (see comment)
☐ Conditions Documentation attached or is otherwise, no longer available (see comment)

Comment: _____

6. Rebuild: In the event of casualty, in whole or in part, the structure located on the subject property:

- ☐ May be rebuilt in its current form (i.e. no loss of square footage, same footprint, with drive through(s), if applicable).
- ☐ May not be rebuilt in its current form, except upon satisfaction of certain conditions, limitations or requirements. Please see section _____ of the current zoning code/ordinance for details.

7. Code Violations Information:

- ☐ There do **NOT** appear to be any outstanding/open zoning, building or fire code violations that apply to the subject property.
- ☐ The following outstanding/open ☐ zoning / ☐ building / ☐ fire code violations apply to the subject property:

Comment: _____

8. Certificate of Occupancy, status:

- ☐ A valid Certificate of Occupancy has been issued for the subject property and is attached.
- ☐ Certificates of Occupancy have been issued and are in effect for all buildings and, if required, for all units at the Property; however, we are unable to locate a copy in our records. The absence of a copy of the Certificate(s) of Occupancy will not give rise to any enforcement action affecting the property.
- ☐ Certificates of Occupancy for projects constructed prior to the year _____ are no longer on file with this office. The absence of a copy of the Certificate(s) of Occupancy will not give rise to any enforcement action affecting the property. A Certificate of Occupancy will only be required for new construction.
- ☐ A Certificate of Occupancy is not required for the subject property.

Comment: _____

9. Site Plan Information:

- ☐ The subject property was not subject to a site plan approval process.
- ☐ The subject property was subject to site plan approval; a copy of the approved site plan is attached.
- ☐ The subject property was subject to site plan approval, but a copy of the approved site plan is no longer in existence (*was lost or destroyed*). All other existing documents applicable to site plan approval for the site are attached if available.
- ☐ An approved site plan for the subject property is on file, but our office does not have the necessary resources to reproduce and distribute copies of the plan. All other existing documents applicable to site plan approval are attached if available.
- ☐ Other, (as noted here): _____

10. Landlord License Requirements/Fees:

- ☐ There are no Landlord License Requirements/Fees that would affect the subject property.
- ☐ The following Landlord License Requirements/Fees may affect the subject property:

Comment: _____

11. Planned Public Improvements:

- ☐ There are no current, planned, threatened or possible public improvement projects/condemnation actions that will affect access to the property, disrupt traffic flow within close proximity of the Subject, or affect the Subject's property lines in the foreseeable future.
- ☐ The following current, planned, threatened or possible public improvement project/condemnation actions may affect access to the property, disrupt traffic flow within close proximity of the Subject, or affect the Subject's property lines in the foreseeable future.

Comment: _____

This information was researched on _____, 2022, by the undersigned, per request and as a public service. The undersigned certifies that the above information contained herein is believed to be accurate and is based upon, or relates to the information supplied by the requestor. The Authority assumes no liability for errors and omissions. All information was obtained from public records, which may be inspected during regular business hours.

By: _____

Printed Name: _____

Title: _____

Department: _____

Phone: _____